

...copy of this resolution ...
...of the ...
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...

By Glen O. Lewis

FILED MAR 08 1999
H.J.R. No. 69

A JOINT RESOLUTION

1 proposing a constitutional amendment permitting a political
2 subdivision to purchase property and casualty insurance from
3 certain mutual insurance companies.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 52(a), Article III, Texas Constitution,
6 is amended to read as follows:

7 (a) Except as otherwise provided by this section, the
8 Legislature shall have no power to authorize any county, city, town
9 or other political corporation or subdivision of the State to lend
10 its credit or to grant public money or thing of value in aid of, or
11 to any individual, association or corporation whatsoever, or to
12 become a stockholder in such corporation, association or company.
13 However, this section does not prohibit the use of public funds or
14 credit for the payment of premiums on nonassessable property and
15 casualty, life, health, or accident insurance policies and annuity
16 contracts issued by a mutual insurance company authorized to do
17 business in this State.

18 SECTION 2. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held on November 2,
20 1999. The ballot shall be printed to permit voting for or against
21 the proposition: "The constitutional amendment permitting a
22 political subdivision to purchase nonassessable property and
23 casualty insurance from an authorized mutual insurance company in
24 the same manner that the political subdivision purchases life,

HOUSE COMMITTEE REPORT

99 APR - 1 1 1999
HOUSE OF REPRESENTATIVES

1st Printing

By Lewis of Tarrant

H.J.R. No. 69

A JOINT RESOLUTION

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20 1999. The ballot shall be printed to permit voting for or against
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22 political subdivision to purchase nonassessable property and
23 casualty insurance from an authorized mutual insurance company in
24 the same manner that the political subdivision purchases life,

COMMITTEE REPORT

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives

3-31-99
(date)

Sir:

We, your COMMITTEE ON COUNTY AFFAIRS

to whom was referred HJR 69 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.
- ☐ do pass, with amendment(s).
- ☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- ☒ yes ☐ no A fiscal note was requested.
- ☐ yes ☒ no A criminal justice policy impact statement was requested.
- ☐ yes ☒ no An equalized educational funding impact statement was requested.
- ☐ yes ☒ no An actuarial analysis was requested.
- ☐ yes ☒ no A water development policy impact statement was requested.
- ☐ yes ☒ no A tax equity note was requested.
- ☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

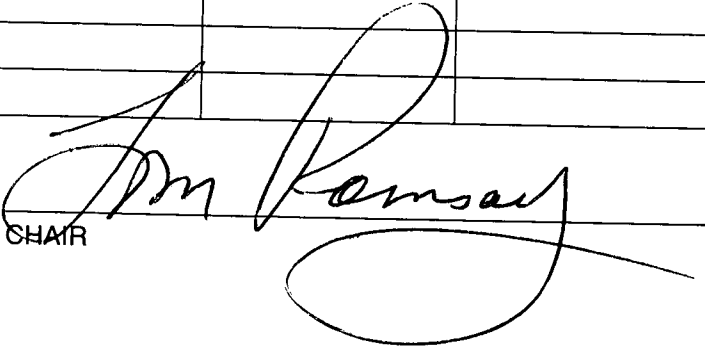
Joint Sponsors: _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Ramsay, Chair				<input checked="" type="checkbox"/>
Lewis, G., Vice-chair	<input checked="" type="checkbox"/>			
Brown, B.	<input checked="" type="checkbox"/>			
Chisum	<input checked="" type="checkbox"/>			
Farabee	<input checked="" type="checkbox"/>			
Hilderbran				<input checked="" type="checkbox"/>
Krusee				<input checked="" type="checkbox"/>
Salinas	<input checked="" type="checkbox"/>			
Swinford	<input checked="" type="checkbox"/>			

Total
6 aye
0 nay
0 present, not voting
3 absent


CHAIR

BILL ANALYSIS

Office of House Bill Analysis

H.J.R. 69
By: Lewis, Glenn
County Affairs
3/29/1999
Introduced

BACKGROUND AND PURPOSE

Before it was amended in 1986, Article III, Section 52(a) of the Texas Constitution prohibited counties, cities, towns, or other political subdivisions (entity) from becoming stockholders in any association, corporation, or company. Since mutual insurance companies are corporations, and their policy holders own the insurance company, such entities were prohibited from using public funds to purchase insurance contracts or annuity contracts from mutual insurance companies. The 1986 amendment provided an exception which allows the use of public funds or credit for the payment of premiums on nonassessable life, health, and accident insurance issued by mutual insurance companies. As proposed, H.J.R. 69 requires the submission to the voters of a constitutional amendment allowing nonassessable property and casualty insurance policies to be purchased with public funds or credit.

RULEMAKING AUTHORITY

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 52(a), Article III, Texas Constitution, to include the premiums on nonassessable property and casualty insurance policies among those that are not prohibited under this section (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds) from being paid for by public funds or credit.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2, 1999. Sets forth the required language for the ballot.

SUMMARY OF COMMITTEE ACTION

HJR 69

March 31, 1999 8:00AM or upon adjournment
Considered in public hearing
Testimony taken in committee
Reported favorably without amendment(s)

WITNESS LIST

HJR 69
HOUSE COMMITTEE REPORT
County Affairs Committee .

March 31, 1999 - 8:00AM

For: Cobb, Ronald H. (American Insurance Association)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 30, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 69 by Lewis, Glenn (Proposing a constitutional amendment permitting a political subdivision to purchase property and casualty insurance from certain mutual insurance companies.), **As Introduced**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 304 Comptroller of Public Accounts
LBB Staff: JK, TL

1-1 By: Lewis of Tarrant (Senate Sponsor - Harris) H.J.R. No. 69
1-2 (In the Senate - Received from the House May 3, 1999;
1-3 May 4, 1999, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 13, 1999, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 13, 1999, sent to
1-6 printer.)

1-7

HOUSE JOINT RESOLUTION

1-8 proposing a constitutional amendment permitting a political
1-9 subdivision to purchase property and casualty insurance from
1-10 certain mutual insurance companies.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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1-13 is amended to read as follows:

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1-15 Legislature shall have no power to authorize any county, city, town
1-16 or other political corporation or subdivision of the State to lend
1-17 its credit or to grant public money or thing of value in aid of, or
1-18 to any individual, association or corporation whatsoever, or to
1-19 become a stockholder in such corporation, association or company.
1-20 However, this section does not prohibit the use of public funds or
1-21 credit for the payment of premiums on nonassessable property and
1-22 casualty, life, health, or accident insurance policies and annuity
1-23 contracts issued by a mutual insurance company authorized to do
1-24 business in this State.

1-25 SECTION 2. This proposed constitutional amendment shall be
1-26 submitted to the voters at an election to be held on November 2,
1-27 1999. The ballot shall be printed to permit voting for or against
1-28 the proposition: "The constitutional amendment permitting a
1-29 political subdivision to purchase nonassessable property and
1-30 casualty insurance from an authorized mutual insurance company in
1-31 the same manner that the political subdivision purchases life,
1-32 health, and accident insurance."

1-33

* * * * *

**FAVORABLE
SENATE COMMITTEE REPORT ON**

SB SCR SJR SR HB HCR (HJR) 69
By Lewis / Harris
(Author/Senate Sponsor)
5-13-99
(date)

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS, to which was referred the attached measure, have on 5-12-99, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

~~and~~ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Frank Madla, Chairman	<input checked="" type="checkbox"/>			
Senator Jon Lindsay, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Rodney Ellis	<input checked="" type="checkbox"/>			
Senator Mike Moncrief	<input checked="" type="checkbox"/>			
Senator Drew Nixon	<input checked="" type="checkbox"/>			
TOTAL VOTES	5	0	0	0

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken ☒

William Stephens
COMMITTEE CLERK

Frank Madla
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

HJR 69
SENATE COMMITTEE REPORT
Intergovernmental Relations Committee

May 12, 1999 - 8:00A

Registering, but not testifying:

For: McFarland, Bob (American Ins. Assoc.), Austin

BILL ANALYSIS

Senate Research Center
76R7981 DB-F

H.J.R. 69
By: Lewis, Glenn (Harris)
Intergovernmental Relations
5/11/1999
Engrossed

DIGEST

Currently, political subdivisions are allowed to buy most insurance policies from mutual insurance companies, except for property and casualty lines, although not nonassessable property and casualty policies. If it were possible to purchase such insurance policies from mutual insurance companies, competitive bidding could reduce the cost of buying policies for taxpayers. H.J.R. 69 requires the submission to the voters of a constitutional amendment to permit a political subdivision to purchase certain nonassessable insurance from an authorized mutual insurance company in the same manner that other insurance is purchased.

PURPOSE

As proposed, H.J.R. 69 requires the submission to the voters of a constitutional amendment to permit a political subdivision to purchase certain nonassessable insurance from an authorized mutual insurance company in the same manner that other insurance is purchased.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 52(a), Article III, Texas Constitution, to allow property and casualty insurance policy premiums to be paid through public funds or credits.

SECTION 2. Requires this constitutional amendment to be submitted to the voters at an election to be held on November 2, 1999. Sets forth the required language for the ballot.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 10, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 69 by Lewis, Glenn (Proposing a constitutional amendment permitting a political subdivision to purchase property and casualty insurance from certain mutual insurance companies.), **As Engrossed**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$76,352.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 454 Department of Insurance, 304 Comptroller of Public Accounts

LBB Staff: JK, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 30, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR 69 by Lewis, Glenn (Proposing a constitutional amendment permitting a political subdivision to purchase property and casualty insurance from certain mutual insurance companies.), **As Introduced**

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LBB Staff: JK, TL

ENROLLED

H.J.R. No. 69

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H.J.R. No. 69

1 health, and accident insurance."

H.J.R. No. 69

President of the Senate

Speaker of the House

I certify that H.J.R. No. 69 was passed by the House on May 3, 1999, by the following vote: Yeas 139, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.J.R. No. 69 was passed by the Senate on May 18, 1999, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

RECEIVED: _____

Date

Secretary of State

President of the Senate

Speaker of the House

I certify that H.J.R. No. 69
(1) was passed by the House on

May 3
(2), 1999, by the following vote:

Yeas 139, Nays 1, 2 present, not voting
(3) (4)

Chief Clerk of the House

I certify that H.J.R. No. 69 was passed by the Senate on

May 18
(5), 1999, by the following vote:

Yeas 30, Nays 0
(6) (7)

Secretary of the Senate

RECEIVED:

Date

Secretary of State

**** Preparation: CT23;

76TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form
in lieu of the front or the back of the original bill)

For chief clerk use only
Bill or Resolution Number

HJR 69

Glen Q. Lewis
signature of primary author

Glen Lewis
printed name of primary author

3-8-99
Date

PERMISSION TO SIGN HJR 69 HAS BEEN GIVEN TO (check only one of the following):
(bill or resolution #)

☒ ALL REPRESENTATIVES

THE FOLLOWING REPRESENTATIVE(S):

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2120 Alexander</u>	<u> </u> Date	<u>A2600 Counts</u>	<u> </u> Date	<u>A2795 Farabee</u>	<u> </u> Date
<u>A2115 Allen</u>	<u> </u> Date	<u>A2605 Crabb</u>	<u> </u> Date	<u>A2810 Farrar</u>	<u> </u> Date
<u>A2105 Alvarado</u>	<u> </u> Date	<u>A2610 Craddick</u>	<u> </u> Date	<u>A2840 Flores</u>	<u> </u> Date
<u>A2135 Averitt</u>	<u> </u> Date	<u>A2615 Crownover</u>	<u> </u> Date	<u>A2920 Gallego</u>	<u> </u> Date
<u>A2160 Bailey</u>	<u> </u> Date	<u>A2645 Cuellar</u>	<u> </u> Date	<u>A2930 Garcia</u>	<u> </u> Date
<u>A2205 Berman</u>	<u> </u> Date	<u>A2635 Culberson</u>	<u> </u> Date	<u>A2940 George</u>	<u> </u> Date
<u>A2250 Bonnen</u>	<u> </u> Date	<u>A2670 Danburg</u>	<u> </u> Date	<u>A2935 Giddings</u>	<u> </u> Date
<u>A2275 Bosse</u>	<u> </u> Date	<u>A2620 Davis, John</u>	<u> </u> Date	<u>A2880 Glaze</u>	<u> </u> Date
<u>A2260 Brimer</u>	<u> </u> Date	<u>A2625 Davis, Yvonne</u>	<u> </u> Date	<u>A2985 Goodman</u>	<u> </u> Date
<u>A2265 Brown, Betty</u>	<u> </u> Date	<u>A2680 Delisi</u>	<u> </u> Date	<u>A2990 Goolsby</u>	<u> </u> Date
<u>A2270 Brown, Fred</u>	<u> </u> Date	<u>A3385 Denny</u>	<u> </u> Date	<u>A3005 Gray</u>	<u> </u> Date
<u>A2255 Burnam</u>	<u> </u> Date	<u>A2690 Deshotel</u>	<u> </u> Date	<u>A3000 Green</u>	<u> </u> Date
<u>A2300 Capelo</u>	<u> </u> Date	<u>A2705 Driver</u>	<u> </u> Date	<u>A3010 Greenberg</u>	<u> </u> Date
<u>A2400 Carter</u>	<u> </u> Date	<u>A2665 Dukes</u>	<u> </u> Date	<u>A3020 Grusendorf</u>	<u> </u> Date
<u>A2585 Chavez</u>	<u> </u> Date	<u>A2660 Dunnam</u>	<u> </u> Date	<u>A3030 Gutierrez</u>	<u> </u> Date
<u>A2480 Chisum</u>	<u> </u> Date	<u>A2650 Dutton</u>	<u> </u> Date	<u>A3035 Haggerty</u>	<u> </u> Date
<u>A2525 Christian</u>	<u> </u> Date	<u>A2770 Edwards</u>	<u> </u> Date	<u>A2695 Hamric</u>	<u> </u> Date
<u>A2520 Clark</u>	<u> </u> Date	<u>A2760 Ehrhardt</u>	<u> </u> Date	<u>A3160 Harcastle</u>	<u> </u> Date
<u>A2435 Coleman</u>	<u> </u> Date	<u>A2775 Eiland</u>	<u> </u> Date	<u>A3170 Hartnett</u>	<u> </u> Date
<u>A2565 Cook</u>	<u> </u> Date	<u>A2785 Elkins</u>	<u> </u> Date	<u>A3345 Hawley</u>	<u> </u> Date
<u>A2595 Corte</u>	<u> </u> Date	<u>A2790 Ellis, Dan</u>	<u> </u> Date	<u>A3180 Heflin</u>	<u> </u> Date

For chief clerk use only
Bill or Resolution Number: HJR 69

A3310 Hilbert	Date	A3715 Madden	Date	A4435 Shields	Date
A3250 Hilderbran	Date	A3750 Marchant	Date	A4445 Siebert	Date
A3275 Hill	Date	A2700 Maxey	Date	A4525 Smith	Date
A3270 Hinojosa	Date	A3665 McCall	Date	A4530 Smithee	Date
A3305 Hochberg	Date	A3650 McClendon	Date	A4550 Solis, Jim	Date
A3290 Hodge	Date	A3845 McReynolds	Date	A4560 Solis, Juan	Date
A3325 Homer	Date	A3840 Merritt	Date	A4505 Solomons	Date
A3320 Hope	Date	A3855 Moreno, Joe	Date	A4515 Staples	Date
A3315 Howard	Date	A3860 Moreno, Paul	Date	A4570 Swinford	Date
A3355 Hunter	Date	A3870 Morrison	Date	A4585 Talton	Date
A3360 Hupp	Date	A3865 Mowery	Date	A4605 Telford	Date
A3375 Isett	Date	A3885 Naishtat	Date	A4630 Thompson	Date
A3415 Janek	Date	A3890 Najera	Date	A4635 Tillery	Date
A3410 Jones, Charles	Date	A3895 Nixon, Joe	Date	A4650 Truitt	Date
A3405 Jones, Delwin	Date	A3900 Noriega	Date	A2730 Turner, Bob	Date
A3400 Jones, Jesse	Date	A3880 Oliveira	Date	A4685 Turner, Sylvester	Date
A3440 Junell	Date	A3886 Olivo	Date	A4690 Uher	Date
A3475 Keel	Date	A4010 Palmer	Date	A4695 Uresti	Date
A3480 Keffer	Date	A4180 Pickett	Date	A4720 Van de Putte	Date
A3470 King, Phil	Date	A4185 Pitts	Date	A4990 Walker	Date
A3465 King, Tracy	Date	A4200 Puente	Date	A4995 West, George "Buddy"	Date
A3485 Krusee	Date	A4210 Ramsay	Date	A5035 Williams	Date
A3450 Kuempel	Date	A4240 Rangel	Date	A5000 Wilson	Date
A3510 Laney	Date	A4245 Reyna, Arthur	Date	A5020 Wise	Date
A3520 Lengefeld	Date	A4236 Reyna, Elvira	Date	A5015 Wohlgemuth	Date
A3605 Lewis, Glenn	Date	A4250 Ritter	Date	A4980 Wolens	Date
A3600 Lewis, Ron	Date	A4370 Sadler	Date	A5005 Woolley	Date
A3615 Longoria	Date	A4380 Salinas	Date	A5025 Yarbrough	Date
A3620 Luna, Vilma	Date	A4420 Seaman	Date	A5040 Zbranek	Date

H.J.R. No.

69

By

Glenn C. Lewis

Proposing a constitutional amendment permitting a political subdivision to purchase property and casualty insurance from certain mutual insurance companies.

MAR 0 8 1999

Filed with the Chief Clerk

County Affairs

MAR 1 0 1999

Read first time and referred to Committee on

MAR 3 1 1999

Reported favorably (amended)
(amended)

APR 0 7 1999

Sent to Committee on Calendars

MAY 0 3 1999

Read second time (Comm. Subst.) (amended) and adopted (amended) by a record vote of 139 yeas, 1 nays, 2 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a record vote of yeas, nays, present, not voting

MAY 0 3 1999

Engrossed

MAY 0 3 1999

Sent to Senate

Sharon Carter

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 0 3 1999

Received from the House

MAY 0 4 1999

Read and referred to Committee on INTERGOVERNMENTAL RELATIONS

MAY 1 3 1999

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 1 8 1999

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent) yeas, nays)

MAY 1 8 1999

Read second time, and passed to third reading by (unanimous consent) (a viva voce vote) yeas, nays)

MAY 1 8 1999

Senate and Constitutional 3 Day Rules suspended by a vote of 30 yeas, 0 nays

MAY 1 8 1999

Read third time, and passed by 30 yeas, 0 nays

May 18, 1999

Returned to the House

Letty King

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 18 1999

Returned from the Senate ~~(as substituted)~~
(with amendments)

House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,
_____, _____, _____

Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

Conference committee report adopted (rejected) by the House by a record vote of
_____ yeas, _____ nays, _____ present, not voting

Conference committee report adopted (rejected) by the Senate by a record vote of
_____ yeas, _____ nays

99 APR - C 11 16

HOUSE OF REPRESENTATIVES

69

69